

AMENDED PERMIT**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office JUN 14 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 10 1961 under 19899

The applicant **LYON COUNTY, C/O LYON COUNTY UTILITIES** hereby make application for permission to change the **Point of diversion Place of use Manner of use of a portion** of water heretofore appropriated under **Permit 23685, Certificate 8451**

1. The source of water is **Underground**
2. The amount of water to be changed **0.601 N.T.E. 142.13 AFA**
3. The water to be used for **Quasi-Municipal**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T. 17 N., R. 22 E., M.D.B. & M., or at a point from which the SW corner of said Section 33 bears S. 13° 28' 09" W., a distance of 558.09 feet (per Cert. 13658). (Cardelli Well) Note: Application 19978 & Supporting Map show P.O.D. as S. 13° 40' W., 558.10 ft.**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, T. 16 N., R. 21 E., M.D.B. & M., or at a point from which the E $\frac{1}{4}$ corner of Section 1 T.16N R.21E. MDBM bears N. 18° 44' 30" E., a distance of 5328.50 feet.**
7. Proposed place of use **PLEASE REFER TO EXHIBIT "A"**
8. Existing place of use **PLEASE REFER TO EXHIBIT "B"** Note: **There are multiple owners of portions of the Existing Place of Use.**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Existing drilled and cased well, pump, motor and distribution system.**
12. Estimated cost of works **\$20,000.00**
13. Estimated time required to construct works **Existing drilled and cased 16-inch well to a depth of 500 feet, completed under Permit 19978.**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

15. Remarks: For Existing Point of Diversion and Place of Use, please refer to map filed in support of Application 23685. For Proposed Point of Diversion, please refer to map filed in support of Application 19978 and Cert. 13658. For Proposed Place of Use, please refer to map filed in support of Application 72121. PLEASE REFER TO EXHIBIT "B"

By CHUCK ZIMMERMAN
s/ Chuck Zimmerman
3264 Goni Road, Suite 153
Carson City, Nevada 89706

Compared mt/ gkl lt

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 23685, Certificate 8451 is issued subject to the terms and conditions imposed in said Permit 23685, Certificate 8451 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 49483, 49486, Certificate 14718; Permits 50361, 56593, Certificate 14706; Permit 58931, Certificate 14719; Permits 58932, 58933, Certificate 14720; Permits 58934, 62937, 62938, Certificate 15662; Permits 62939, 62940, 63626, 63628, 63630, 63632, 63633, 64128, 64782, 64783, 64784, 64785, 64957, 66427, 68155, 68156, 68196, 68197, 68198, 68708, 68737, 69243, 69244, 69245, 70040, 70041, 70042, 70693, 70846, 71379, 71476, 71477, 71536, 71537, 71688, 71856, 71857, 71872, 71873, 72603, 72773, 72774, 72775, 72914, 72931, 72932, 72933, 73157, 73158, 73183, 73393, 73394, 73473, 73474, 73490, 73491 and 73992 shall not exceed 7,744.01 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(Continued on Page 3)

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.601 cubic feet per second, but not to exceed 142.13 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

July 5, 2015

Proof of the application of water to beneficial use shall be filed on or before:

August 5, 2015

Map in support of proof of beneficial use shall be filed on or before:


N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of September A.D. 2007


Deputy State Engineer

Completion of work filed July 22, 2002 under 66427

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

Question #7 – Proposed Place of Use**T.16 N., R.21 E., M.D.B. & M.:**

All of Section 1; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; All of Section 11; SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13; E $\frac{1}{2}$, Section 14; SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$, Section 23; N $\frac{1}{2}$ Section 24; Portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26; S $\frac{1}{2}$, portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28; NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33; N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35.

T. 16 N., R. 22 E., M.D.B. & M.:

All of Section 3; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4; N $\frac{1}{2}$, Section 5; NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 6; W $\frac{1}{2}$ W $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9; NW $\frac{1}{4}$ Section 16; All of Section 17; S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 18; All of Section 19, All of Section 20.

T. 17 N., R. 21 E., M.D.B. & M.:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36.

T. 17N., R. 22 E., M.D.B. & M.:

E $\frac{1}{2}$ SW $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying within Lyon County, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22; Portions of the N $\frac{1}{2}$ NE $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 27; Portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 28; S $\frac{1}{2}$ Section 29 lying within Lyon County; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30; All of Section 31 lying within Lyon County; N $\frac{1}{2}$ N $\frac{1}{2}$, Portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32; Portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33; SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 34.

In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire Lyon County/Dayton Utilities service area as determined by the Lyon County Public Works Director. If in the future, some other entity is determined to have that authority, the Place of Use of this permit shall be pursuant to that authority's determination of the service area.

EXHIBIT "B"**Question 8 - Existing Place of Use:**

6 acres in the	SW¼	NE¼	of Section 12, T. 16 N., R. 21 E., M.D.B. & M.						
32 " " "	SE¼	NE¼	"	"	"	"	"	"	"
38 " " "	NE¼	SE¼	"	"	"	"	"	"	"
4 " " "	NW¼	SE¼	"	"	"	"	"	"	"
6 " " "	SE¼	SE¼	"	"	"	"	"	"	"
11 " " "	NW¼	NW¼	"	"	7	"	22	"	"
19 " " "	NE¼	NW¼	"	"	"	"	"	"	"
38 " " "	NW¼	NE¼	"	"	"	"	"	"	"
18 " " "	NE¼	NE¼	"	"	"	"	"	"	"
10 " " "	SW¼	NE¼	"	"	"	"	"	"	"
16 " " "	SE¼	NW¼	"	"	"	"	"	"	"
33 " " "	SW¼	NW¼	"	"	"	"	"	"	"
31 " " "	NW¼	SW¼	"	"	"	"	"	"	"
4 " " "	NE¼	SW¼	"	"	"	"	"	"	"
266 acres total									

<u>Owner of Record</u>	<u>Area to be Stripped</u>					<u>AFA</u>	<u>Diversion Rate</u>
	<u>Acres</u>	<u>1/4</u>	<u>1/4</u>	<u>Sec.</u>	<u>T/R</u>		
Terrence B. Flatley, Inc.	1.70	NE	NW	7	16/22	6.8	<i>Sne per Telecom</i>
	2.36	NE	NW	7	16/22	9.44	
	2.64	SE	NW	7	16/22	10.56	
	4.00	NE	SW	7	16/22	16.0	
	10.00	SE	NE	12	16/22	40.0	
	<u>1.273</u>	SE	NE	12	16/22	<u>5.09</u>	
Total	21.973					87.89	
Angello & Joan Petrini	11.06	SE	NW	7	16/22	44.24	
English Mountain Estates, Inc.	<u>2.50</u>	SE	SE	12	16/21	<u>10.0</u>	
Total Acreage:	35.533					142.13	

Note: Report of Conveyance and Abstract of Title is on file with the Division of Water Resources for the transfer of the above noted water rights from Thomas H. Eitel to those noted. Deeds pending to transfer all noted water into applicants ownership.

Question #15 - Remarks:

Terrence B. Flatley, Inc.'s water rights noted, 21.973 acres (87.89 AFA) will be dedicated for will-serve requirements for Carson River Estates Subdivision within Section 3, T. 16 N., R. 21 E., being APN 16-321-12.